

confidential transaction and experience information about customers. Under the bill, information can be shared for purposes of telemarketing only if (1) the information to be shared does not include any account numbers for credit cards or other deposit or transaction accounts and (2) the bank provides clear and conspicuous disclosure to the consumer of the type of information it seeks to share with a telemarketer and provides the consumer with an opportunity to direct that the information not be shared.

Second, the bill addresses the limitations on current regulatory enforcement by removing the 1996 limitations on the ability of bank regulators to undertake examinations and enforcement actions to assure FCRA compliance. It broadens FCRA rulemaking authority to provide for joint rulemaking by the OCC, OTS and FDIC as well as the Federal Reserve. And it extends rulemaking authority for the National Credit Union Administration for purposes of compliance by federal credit unions.

Mr. Speaker, my bill does not attempt to take on the entire issue of financial privacy. It is narrowly targeted to address only the problem of sharing information for purposes of telemarketing. However, it offers meaningful privacy protections that are urgently needed by consumers and which Congress can, and should, enact into law at the earliest opportunity.

I urge the Congress to adopt this important and needed legislation.

The text of the bill follows:

H.R.—

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled,

#### SECTION 1. SHORT TITLE.

SHORT TITLE.—This Act may be cited as the “Consumer Telemarketing Financial Privacy Protection Act of 1999”.

#### SEC. 2. LIMITATIONS ON THE SHARING OF CONFIDENTIAL INFORMATION FOR PURPOSES OF TELEMARKETING TO CONSUMERS.

Section 603(d)(2)(A)(i) of the Fair Credit Reporting Act (15 U.S.C. 1681a(d)(2)(A)(i)) is amended by inserting before the semicolon at the end thereof the following:

“, and any communication of that information by the person making the report to any other person for the purpose of telemarketing to the consumer, if—

“(aa) it is clearly and conspicuously disclosed to the consumer the information that may be communicated to such persons and the consumer is given the opportunity, before the time that the information is initially communicated, to direct that such information not be communicated among such persons; and

“(bb) the information to be communicated does not include an account number or other form of access for a credit card, deposit or transaction account of the consumer for use in connection with any telemarketing to the consumer”.

#### SEC. 3. ENHANCEMENT OF FEDERAL ENFORCEMENT AUTHORITY.

Section 621 of the Fair Credit Reporting Act (15 U.S.C. 1681s) is amended—

(1) in subsection (d), by striking everything following the end of the second sentence; and

(2) by striking subsection “(e)” and inserting in lieu thereof the following:

“(e) REGULATORY AUTHORITY.—

“(1) The Federal banking agencies referred to in paragraphs (1) and (2) of subsection (b) shall jointly prescribe such regulations as necessary to carry out the purposes of this Act with respect to any persons identified under paragraph (1) and (2) of subsection (b), or to the holding companies and affiliates of such persons.

“(2) The Administrator of the National Credit Union Administration shall prescribe such regulations as necessary to carry out the purposes of this Act with respect to any persons identified under paragraph (3) of subsection (b).”.

#### SEC. 4. REGULATIONS.

The Federal banking agencies referred to in paragraphs (1) and (2) of subsection (b), not later than the end of the 6-month period beginning on the date of the enactment of this Act, shall issue joint regulations in final form to implement the amendments made by this Act. The Administrator of the National Credit Union Administration, not later than the end of the 6-month period beginning on the date of enactment of this Act, shall issue regulations in final form to implement the amendments made by this Act with respect to any Federal credit union.

#### INTRODUCTION OF H.R. 2119—“THE YOUNG AMERICAN WORKERS’ BILL OF RIGHTS ACT”

#### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 1999

Mr. LANTOS. Mr. Speaker, today I introduced comprehensive domestic child labor reform legislation—H.R. 2119, “The Young American Workers’ Bill of Rights Act.” I am delighted to report that this legislation has been cosponsored by 57 other Members of the Congress, including my distinguished fellow Californian, Congressman TOM CAMPBELL of San Jose, and our distinguished colleague, Congressman JOHN PORTER of Illinois, who is Co-Chairman with me of the Congressional Human Rights Caucus.

It is a shocking fact, Mr. Speaker, that the occupational injury rate for children and teens in this country is more than twice as high as it is for adults. A young person is killed on the job in this country every five days. A young worker is injured on the job every 40 seconds. These deaths and these injuries to our nation’s children are totally unacceptable.

Mr. Speaker, as America prepares to enter the 21st Century, we must ensure that our children work under safe conditions. We must ensure that the work available to them does not limit their educational opportunities, but helps them achieve healthy and productive lives. The Young American Workers’ Bill of Rights will help to make certain that job opportunities available to our young people are safer and do not interfere with their education.

Unfortunately, the exploitation of child labor in our country is not a thing of the past. It is a national problem that continues to jeopardize the health, education, and lives of many of our nation’s children and teenagers. In farm fields and in fast-food restaurants all over this country, employers are breaking the law by hiring under-age children. Many of these youth put in long, hard hours and often work under

dangerous conditions. Our legislation seeks to eliminate the all-too-common exploitation of children—working long hours late into the night while school is in session, and working under hazardous conditions.

Mr. Speaker, H.R. 2119—The “Young American Workers’ Bill of Rights Act”—addresses two major aspects of child labor: the deaths and serious injuries suffered by our young workers and the negative impact which working excessive hours during school can have on a child’s education.

The legislation establishes new, tougher penalties for willful violations of child labor laws that result in the death or serious bodily injury to a child. Not only does the bill increase fines and prison sentences for such willful violation of our laws, but it will assure that the names of child labor law violators are publicized. Nothing will deter corporate giants more than negative publicity, and bad press is one of the few effective sanctions that are available to us.

Mr. Speaker, our legislation also increases protection for children under the age of 14 who are migrant or seasonal workers in agriculture. Current labor laws allow children—even those under 10 years of age—to be employed in agriculture. Farm worker children can work unlimited hours before and after school, and they are not even eligible for overtime pay. At the age of 14, or even earlier, children working in agriculture can use knives and machetes, operate dangerous machinery, and be exposed to toxic pesticides. In no other industry are children so exploited as they are in agriculture.

H.R. 2119 also requires better record keeping and reporting of child labor violations, prohibits minors from operating or cleaning certain types of unsafe equipment, and prohibits children from working in certain particularly hazardous occupations.

Mr. Speaker, our legislation will reduce the problem of children working long hours when school is in session, and it strengthens existing limitations on the number of hours children under 18 years of age can work on school days. The bill would eliminate all youth labor before school, and after-school work would be limited to 15 or 20 hours per week, depending on the age of the child. This is important, Mr. Speaker, because the more hours children work during the school year, the more likely they are to take easier courses, and the more likely they are to do poorly in their studies. Studies have shown that children who work long hours also tend to use more alcohol and drugs.

Mr. Speaker, too many teenagers are working long hours at the very time that they should be focusing on their education. It is important for children to learn the value of work, but education, not minimum-wage jobs, are the key to these young people’s future. Our legislation is an important step in focusing attention back upon education.

Mr. Speaker, I urge my colleagues to join as cosponsors of this legislation. The future of our nation depends upon the strength of our young people. It is important that we assure a safe place to work and that we be certain that work not interfere with education.